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**EMBASSY OF THE  
UNITED STATES OF AMERICA**  
OFFICE OF THE AMBASSADOR

RELEASED IN FULL

Santafe de Bogota, Colombia  
December 30, 1998

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Dear Senator Leahy:

Thank you for your letter of December 22, 1998 concerning the civilian deaths in the Colombian village of Santo Domingo, near Tame, Arauca, on December 13. Despite sustained efforts, the Embassy has not yet been able conclusively to establish the facts of the case. However, given the grave allegations -- especially with respect to U.S. military aid -- to which this tragedy has given rise, I wished to provide an immediate response to your questions as best we can so far.

As' preface, I can assure you that the Colombian government is treating the incident with the utmost seriousness. The Colombian Air Force Inspector General, in cooperation with the Technical Investigation Corps (CTI) of the civilian Public Prosecutor's Office (Fiscalia), has already conducted an on-site investigation of events in and around Santo Domingo in the period December 11-13. The evidence they collected has been turned over to the Fiscalia, whose responsibility it now will be to determine whether any charges should be brought against any party.

Citing the investigation's preliminary findings, the Colombian government vehemently denies that any indiscriminate use of military force took place. All versions agree that the civilian deaths happened during and in the context of a military clash between the armed forces and Fuerzas Armadas Revolucionarias de Colombia (FARC) fronts in the vicinity. According to the Colombian military command, the brunt of the clash took place six kilometers outside Santo Domingo -- not in the town, where the civilian casualties occurred. The government admits that its air forces discharged a small

The Honorable  
Patrick Leahy,  
United States Senate.

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: DONALD A. JOHNSTON  
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number of rockets during the engagement, but has repeatedly denied that any Colombian Army units entered the town, or that any weapons were fired into the town by the Colombian military, at any time during the operation.

As conveyed to the Embassy by the Colombian military, the investigation has yielded the following information and tentative conclusions: (i) a number of the civilian casualties appear to be the result of a FARC truck-bomb, probably intended for use against the Colombian Army, which exploded prematurely; (ii) a gas station supposedly bombed from the air was actually destroyed by arson; (iii) with regard to bullet holes in the roofs of various town buildings, the direction in which the roof-metal was splayed indicates that the holes were formed by FARC firing up at the Colombian Air Force from within the buildings, rather than by alleged machine-gunning from the air; and (iv) shell casings collected in the town are of Venezuelan manufacture and a caliber used by the FARC, not by either the Colombian Army or Air Force.

Among the briefings and evidence which we have received from Colombian officials is a copy of an airborne surveillance video of Santo Domingo covering 0600-1130 hours the morning of December 13. A number of villagers, including the mayor, have publicly alleged that the Air Force "bombed" the town at 0945 hours on December 13. The video, which numerous Embassy officers have watched, appears to show the village intact during that entire time period, directly refuting this accusation. We are subjecting the video to further in-house professional assessment.

Separately, a Colombian journalist who visited the site on December 16 has informed an Embassy officer that initial accounts in his publication and other media blaming government forces were based purely on hearsay, and that his own on-the-spot observations tended to bear out the government's version of events.

There is no reasonable doubt that the whole Santo Domingo episode arose from a counternarcotics operation. The Embassy had prior knowledge of the Colombian military's intent to interdict a small airplane believed to be involved in drug smuggling. That airplane was observed December 12 making an illegal landing on a local public road just outside Santo Domingo, and off-loading materials to an awaiting vehicle. Indeed, it was the Colombian Air Force's surveillance of this smuggling operation that resulted in the FARC's firing upon Colombian Air Force helicopters as the latter overflew

the safehouse where the offloaded materials had been stored.

I emphasize that, should it transpire that the Colombian military were after all guilty of indiscriminate use of weaponry in the course of this action, the U.S. government would condemn it, regardless of whether the use per se of U.S.-supplied equipment conformed with the conditions under which the latter were made available to Colombia. Our preliminary assessment, however, is that the Colombian military's evidence has credibility.

With regard to other specific inquiries in your letter, the Embassy's research so far has developed the following information:

First, to date the Comando Aereo de Combate No. 2 has received U.S. support worth a total of \$4.7 million, all provided in 1991 under Section 506(a)2 of the Foreign Assistance Act. This included the two OV-10As involved in the December 11-13 operation in Arauca. The unit was approved by the State Department in September 1997 as eligible for U.S. counternarcotics aid under the August 1997 End Use Monitoring Agreement. However, to the best of our knowledge (we are not sure we have examined all pertinent records), the unit has received no equipment or training since then.

Second, the Colombian Air Force currently possesses a total of 11 operable OV-10As, all provided by the United States in 1991 under Section 506(a)2.

Third, based upon data provided by the Colombian Air Force concerning aircraft involved in the December 12-13 operation, U.S. Military Group records in Bogota show that all seven of the aircraft in question were obtained from the United States, under a variety of funding authorities over the years and outfitted with a variety of U.S. equipment. The seven aircraft are: one AC-47T and two OV-10A airplanes, and four helicopters (one UH-60A, one UH-60L, one UH-1H, and one H-500ME.) According to information provided by the U.S. Military Group in Bogota, the aircraft belong to three different Colombian Air Force units. The OV-10As, the UH-60L, and the AC-47T are based at the Apiay airbase of Comando Aereo de Combate No. 2, while the H-500ME and UH-1H are based at the Palanquero airbase of Comando Aereo de Combate No. 1, and the UH-60A is based at the Rio Negro airbase of Comando Aereo de Apoyo Tactico No. 2.

-- The AC-47T was purchased as an Excess Defense

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Article, using host-nation funds, on May 11, 1965. It was refurbished using host-nation funds under FMS in September 1998. It does not carry usage restrictions.

-- The two OV-10As involved in the operation were acquired by the Colombian Air Force under a 10-year lease from the U.S on August 4, 1991 under Section 506(a)2. The planes were provided under condition that they be used "primarily for counternarcotics operations."

-- The UH-60A was provided to the Colombian Air Force on January 4, 1990, as FMS assistance. Acquired using Export-Import Bank financing, the helicopter was provided under condition that it be used "primarily in counternarcotics operations."

-- The UH-60L was provided to the Colombian Air Force on October 23, 1995, under FMS using host-nation funds. It was provided without any restrictions limiting its use to counter-narcotics (versus counter-guerrilla) operations.

-- The UH-1H was provided to the Colombian Air Force on October 6, 1989, as FMS assistance. It was provided without any restrictions limiting its use to counter-narcotics (versus counter-guerrilla) operations.

-- The H-500ME was acquired by the Colombian Air Force as a commercial cash sale from Hughes Helicopter on January 17, 1985. As a commercial cash sale, it did not carry usage restrictions.

This is the information we have been able to compile from all our sources to date. I hope it will be useful to you in responding to the concerns expressed in your letter.

Sincerely,



Curtis W. Kamman  
Ambassador

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